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**CITY OF CLAYTON**

**SPECIAL MEETING**

**BOARD OF ALDERMEN**

**TUESDAY, APRIL 18, 2017 – 7:00 P.M.**

**CLAYTON CITY HALL - COUNCIL CHAMBERS**

**10 N. BEMISTON AVENUE**

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**ROLL CALL**

**MINUTES** – April 4, 2017

**PUBLIC REQUESTS & PETITIONS**

**REPORT FROM THE CITY MANAGER**

1. Motion – To approve the Brentwood Boulevard resurfacing project.
  - *The design process evolution and current options will be reviewed.*
2. Motion – To appoint a member to the Public Art Advisory Committee.

**ADJOURNMENT**

**EXECUTIVE SESSION**

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

*Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.*

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
April 4, 2017  
7:00 p.m.

### Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger, Rich Lintz, and Ira Berkowitz.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe (*arrived at 7:08p.m.*)

**Alderman Boulton moved to approve the March 28, 2017. Alderman Winings seconded.**

**The motion to approve the minutes passed unanimously on a voice vote.**

### PUBLIC REQUESTS AND PETITIONS

None

### AN ORDINANCE TO CONSIDER CONTRACT WITH N.B. WEST CONTRACTING FOR THE FY17 RESURFACING PROJECT

City Manager Owens reported that the Public Works Department is requesting approval of a construction contract for the FY17 Resurfacing Project. In 2016/2017, Horner & Shifrin, Inc. completed the design of the project.

This project will include the replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb & gutter, minimal storm sewer installation, base repair where necessary, and the removal and replacement of two inches of asphalt surface.

Bids were opened on March 23, 2017. The City received three bids as shown on the attached bid tabulation. N.B. West Contracting Company submitted the lowest responsive, responsible base bid in the amount of \$2,248,764.35. The final engineer's estimate for the base bid was \$2,498,660.00. The second lowest bid was from Gershenson Construction at \$2,249,382.40, only 0.2% (\$618.05) higher than N.B. West's.

The project bid package included add alternate bid's for select sidewalk slab repairs (Alt. "A"), Hillcrest private street paving (Alt. "B"), and pavement sealer (Alt. "C"). The purposed of Alt. "B" was only to establish the cost of the work (to assist the Hillcrest subdivision) with no intention of being accepted by the City. Hillcrest subdivision plans to enter into a separate contract, with the selected contractor, to pave their private streets. With the inclusion of Alt. "A" & "C", the bid received by N.B. West Contracting Company is \$2,405,309.00, which is under the final engineer's estimate for this work of \$2,696,304.00. The second lowest bid, from Gershenson Construction, was \$2,447,026.18, only 1.7% higher than N.B. West's.

The Capital Improvement Fund has \$3,540,000 budgeted for this activity in FY 2017.

City Staff recommends approval of the construction contract with N.B. West Contracting Company for the base bid, plus Alt. "A" & "C", for a value of \$2,405,309.00. Additionally, City Staff requests authorization to approve change orders in an amount not to exceed \$250,000.00, which is approximately 10% of the contract value. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

Recommendation is to approve the ordinance authorizing a contract with N.B. West Contracting Company in the amount of \$2,405,309.00, plus a contingency of \$250,000.00 for the FY17 Resurfacing Project.

In response to Mayor Sanger's question, Dale Houdeshell confirmed that this would be the last resurfacing project related to the bond approval. He also confirmed that N.B. West Contracting also provided the service for the last contract.

**Alderman Garnholz introduced Bill No. 6608, an ordinance approving a contract with N.B. West Contracting Company for the Fiscal Year 2017 Resurfacing Project to be read for the first time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill No. 6608, an ordinance approving a contract with N.B. West Contracting Company for the Fiscal Year 2017 Resurfacing Project for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6608 on the day of its introduction. Alderman Winings seconded.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz introduced Bill No. 6608, an ordinance approving a contract with N.B. West Contracting Company for the Fiscal Year 2017 Resurfacing Project to be read for the second time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill NO. 6608, an ordinance approving a contract with N.B. West Contracting Company for the Fiscal Year 2017 Resurfacing Project for the second time by title only.**

**Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6476 of the City of Clayton.**

**AN ORDINANCE TO CONSIDER AN AMENDMENT TO CHAPTER 605 TO REAFFIRM THE PROHIBITION AGAINST SHORT-TERM RENTAL OF RESIDENTIAL DWELLINGS**

City Manager Owens reported that Missouri law specifies that accommodations operated for hire as lodging for transient guests (persons occupying lodgings for less than thirty days) is the business of hotels, motels and other commercial lodging establishments (Sec. 315.005, RSMo.) and provides appropriate regulations and standards to ensure public health and safety in relation to such businesses.

In order to protect the peaceful enjoyment of property, property values and public health, safety and welfare Clayton zoning regulations currently prohibit the short-term rental of all or a portion of residential dwellings in the City of Clayton.

The Board of Aldermen finds and determines that short-term rental of residential dwellings is inimical to the stability, shared commitment and sense of community that give Clayton its exceptional quality, and that such rentals conflict with the neighborhood environment that makes both our single family and multi-family areas special, welcoming and desirable; and

The Board of Aldermen wishes to amend the City's Code of Ordinances to make clear that short-term rental of residential property is not permitted in Clayton

Recommendation is to approve the amendment as proposed.

In response to Alderman Berger's question, Alderman Garnholz stated that "inimical" is a synonym for "contrary to".

**Alderman Garnholz introduced Bill No. 6609, an ordinance approving an amendment to Chapter 605 to reaffirm the prohibition against short-term rental of residential dwellings to be read for the first time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill NO. 6609, an Ordinance Approving an Amendment to Chapter 605 of the Clayton Code to Reaffirm the Prohibition Against Short-Term Rental of Residential Dwellings for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6608 on the day of its introduction. Alderman Winings seconded.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz introduced Bill No. 6609, an ordinance approving an amendment to Chapter 605 to reaffirm the prohibition against short-term rental of residential dwellings to be read for the second time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill NO. 6609, an Ordinance Approving an Amendment to Chapter 605 of the Clayton Code to Reaffirm the Prohibition Against Short-Term Rental of Residential Dwellings for the second time by title only.**

**Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6477 of the City of Clayton.**

#### **A RESOLUTION TO CONSIDER APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR INCLUSION IN THE FY 2018 PROPOSED BUDGET DOCUMENT**

City Manager Owens reported that at the March 17, 2017, discussion session, staff presented the Board of Aldermen with the recommendations for the funded projects in the five-year Capital Improvements Plan (fiscal years 2018 – 2022). After much discussion regarding specific projects, the Board added the DeMun Sidewalk project to the funded list during that meeting.

This Capital Improvements Plan, once approved, will be incorporated into the proposed City budget document and will be a part of the public hearing process prior to budget approval.

Recommendation is to approve the resolution approving the five-year Capital Improvement Plan funded project list as revised, for inclusion in the FY 2018 proposed City budget.

**Alderman Garnholz moved to approve Resolution No. 17-04, approving the Five-Year Capital Improvements Plan for Inclusion in The FY 2018 Proposed Budget Document. Alderman Winings seconded.**

**The motion passed unanimously on a voice vote.**

**A RESOLUTION TO APPROVE A CORRECTION TO CLERICAL ERRORS IN ORDINANCES TO ACCURATELY REFLECT THE INTENT AND ACTION OF THE BOARD OF ALDERMEN**

City Manager Owens reported that On January 10, 2017 the Clayton Board of Aldermen considered and approved Bills 6594 and 6595 (Ordinance Nos. 6463 and 6464) which contained the following scrivener's errors:

Section 1 (C)(c)(i) of Bill 6594, Ordinance 6463, erroneously stated that it required that Subdistrict 1 access to Forsyth Boulevard be limited to right in and right out only;

And

Section 1(C)(2)(k) of Bill 6595, Ordinance 6464, erroneously stated that it required that South Lyle Avenue at Forsyth Boulevard be constructed to have four [rather than three] lanes.

The specific revisions are as follows:

3. South Lyle Avenue will not be relocated. It will remain in its current location between new Subdistrict 1 and Subdistricts 2A and C) with the following changes:

A. It will be widened to accommodate two northbound lanes to provide separate left and right turn lanes and one southbound lane with parallel parking.

\* \* \*

4. To allow left turns onto Forsyth from Subdistrict 1 and Subdistrict 2A Forsyth parking garage entrances as well as from South Lyle Avenue.

5. Align Subdistrict 1 garage entrance with signaled Forsyth intersection at North Lyle Avenue. Align Subdistrict 2A garage entrance with signaled Forsyth Boulevard intersection with Lee Avenue.

Recommendation is to approve the attached resolution as proposed.

**Alderman Winings recused himself.**

**Alderman Garnholz moved to approve Resolution No. 17-05, to correct clerical errors in ordinances to accurately reflect the intent and action of the Board of Aldermen. Alderman Boulton seconded.**

**The motion passed unanimously on a voice vote – 6-Ayes.**

**Other**

Alderman Garnholz on the following:

Alderman Berkowitz reported on the following:

- Parks & Recreation Commission – heard a preliminary plan on the ice rink; received good comments; surprisingly strong contingent on creating a bolder design versus the usual Colonial Williamsburg design and to also have lots of windows.

Alderman Boulton reported on the following:

- Plan Commission/ARB – the Solire Apartments project (14 Lee Avenue) was pulled by the applicant.
- PAAC – met and reviewed the art element for the Vanguard Project. New member Carmon Colangelo shared his professional input of his preference to have the art piece mounted which was also the artist's preference.

Alderman Berger commented that while at the polls today he heard from several citizens who were excited about the plans for the ice rink. After hearing those comments he has several ideas related to public engagement that he would like to discuss in the future.

Alderman Berkowitz reported on the following:

- Opening Day Event - The event was an awesome and exciting time, and a great crowd. He was in awe that they ran out of food (serving around 1,000) in an hours' time. Thanks to all that helped, especially Janet Watson.
- Women's Event – Great event, encourages continuing this event in the future, suggested to reach out and invite more people; Alderman Garnholz offered to help with the invitation list for the next event.

At Mayor Sanger's request, Chief Kevin Murphy provided the Board with a brief overview of his Israel trip. He is also preparing a presentation/report to provide to the Board.

Mayor Sanger recapped some of the discussion of the Brentwood Boulevard Resurfacing Project and provided a brief description of his idea for the lanes. He urged the Board to provide suggestions, ideas, and comments to the staff as soon as possible due to the time schedule for the project.

City Manager Owens announced that due to the Centene construction project it would be necessary to close, for approximately six weeks, a portion of Forsyth Boulevard (Hanley Road to Jackson Avenue) to dig up and replace a sewer line/pipe. Staff is diligently working on plans (streets, safety, communication, etc.) in preparation for the closing.

There being no further business the meeting was adjourned at 7:38 p.m.

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Mayor

ATTEST:

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City Clerk



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR SANGER; BOARD OF ALDERMEN  
**From:** CRAIG S. OWENS, CITY MANAGER  
DALE L. HOUDSHELL, P.E., DIRECTOR OF PUBLIC WORKS  
MATT MALICK, P.E., PRINCIPAL CIVIL ENGINEER  
**DATE:** APRIL 18, 2017  
**RE:** BRENTWOOD BOULEVARD RESURFACING PROJECT (STP-5500(682))-  
DESIGN DECISION

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At this meeting, the design process evolution and current options will be reviewed.

At the Board of Alderman Work Session on December 16, 2016, staff presented a concept plan for the federally funded Brentwood Boulevard Resurfacing Project along with public feedback received at the project open house (12/7/16). At that work session it was requested that staff evaluate options for bicycle facilities along Brentwood, their potential impacts, and related costs. After that meeting, additional feedback was received related to the medians shown on the plan, particularly north of Forest Park Parkway.

At the March 14, 2017 Discussion Session, the design team presented 4 new options for bike facilities along Brentwood Boulevard and modifications to the proposed median to address public comments. The Board decided to eliminate 2 of the options from further consideration. Since that meeting the Mayor suggested the possibility of removing 1 northbound lane between I-170 and the northern intersection of Corporate Park Drive and shifting the remaining lanes to the east to allow for bike lanes. Because the roadway is narrow between Davis and Orlando, the remaining lanes would have to be reduced to less than 9.5 feet wide to accommodate two 5 foot bike lanes. These narrow lane widths would not likely be approved by FHWA/MoDOT.

Members of the City's design team will be present along with staff to discuss options for Brentwood Boulevard.

**STAFF RECOMMENDATION:** Consider the options available and decide on an option to allow final design to proceed for the Brentwood Boulevard Resurfacing Project and meet the project schedule to maintain federal funding.

# BRENTWOOD BOULEVARD

## Resurfacing Project





# AGENDA

- Project History
- Bicycle Lanes
- Medians
- Additional Options
- Recommended Option

# PROJECT HISTORY

- 2015-2016 - STP App. submitted/approved for roadway resurfacing
- Summer 2016 – Consultant under contract for design
- Fall 2016 – Design underway, met with residents/businesses that expressed early interest in project
- 12/7/16 – Public Open House
- 12/16/16 – BOA Work Session
- 3/14/17 – BOA Discussion Session

# BICYCLE OPTIONS

- Base option (“share the road”) + 4 additional bicycle options
- Options 1 (bike lanes beyond ex. curb) & 2 (cycle-track) were ruled out following 3/14 meeting
- Options 3 & 4 are similar in many regards
  - Both options result in loss of traffic lanes north & southbound
  - Opt. 3 - wider than current driving lanes, no buffers between traffic and bike lane
  - Opt. 4 - narrows driving lanes, buffers created between traffic and bike lane



Option 3  
(no buffers, w/in  
existing curbs)  
shown for  
reference







Option 3  
(no buffers, w/in  
existing curbs)  
shown for  
reference



# MEDIAN OPTIONS

- North of Forest Park Parkway
  - Median areas to be reduced to allow access at all drive entrances
  - Median at Shaw Park Drive to remain, additional island to north as design allows
- South of Forest Park Parkway
  - Concepts shown currently, final lane configuration and traffic analysis will have impact on median lengths/viability (queue areas impacted by through lanes) and widths (shy distance to median based on lane widths)
  - Installation of medians can limit future reconfiguration/restriping of lanes



Brentwood Blvd. Improvements | City of Clayton



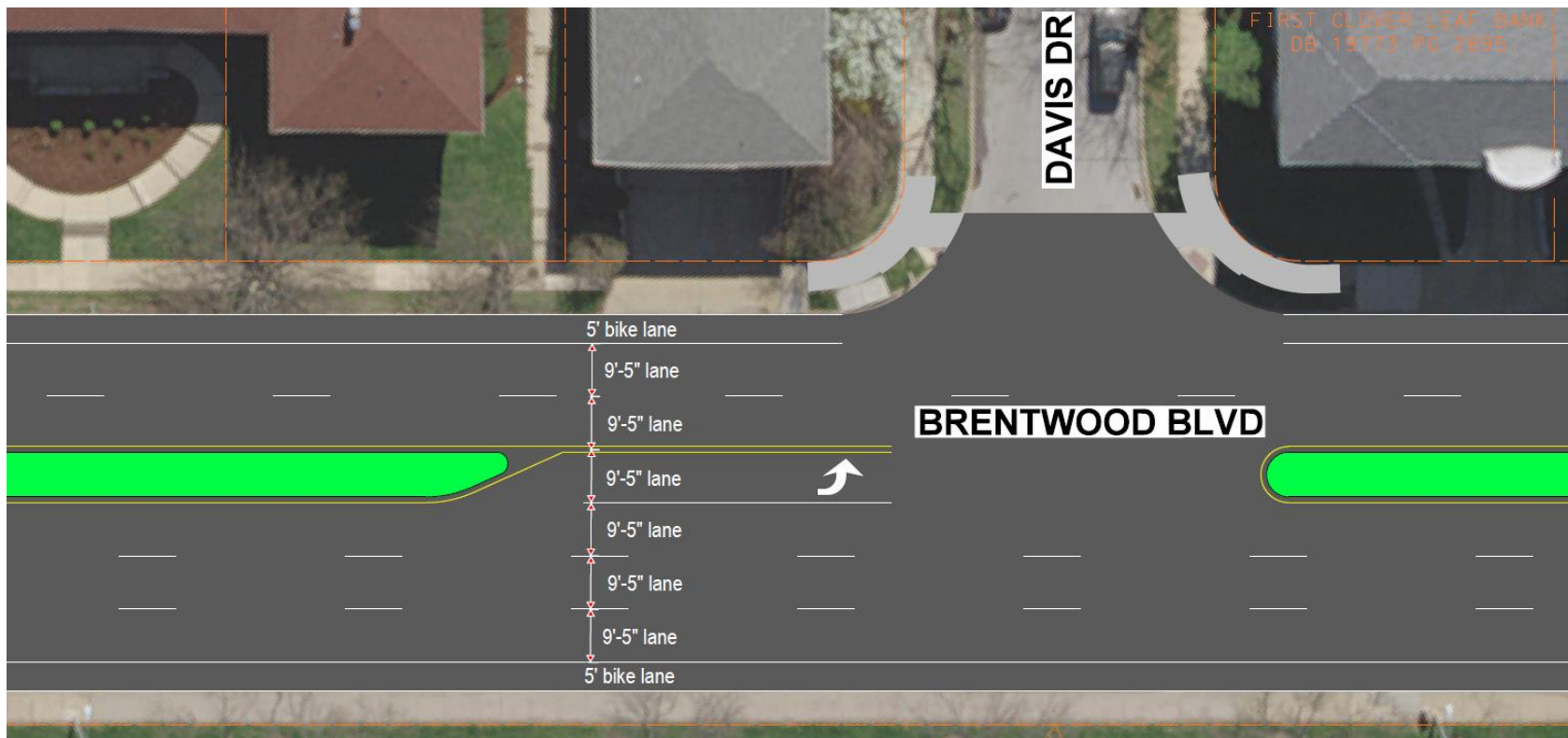






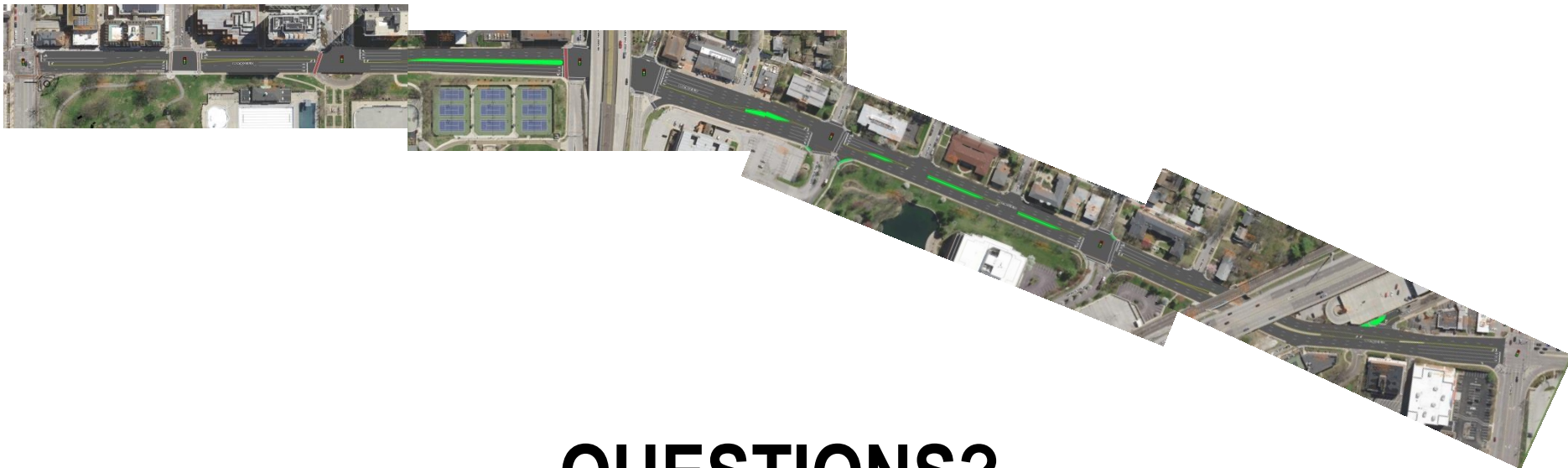
# ADDITIONAL OPTIONS

- Lose single northbound lane and shift existing lanes
  - Results in placing traffic next to bicyclists in narrower lanes than exist today. (currently  $\sim 9 \frac{1}{2}$  -10', standard is 12')
- Alternative routes (existing and proposed)
  - Residential areas
  - Enterprise
  - Connection to GRG through Shaw Park



# RECOMMENDED OPTION

- Proceed with resurfacing project as programmed (STP application)
  - Installs “Bikes May Use Full Lane” signs and expands “Share the Road” bicycle accommodations along route
  - Maintains current number of traffic lanes and service/capacity
  - Meet program schedule and reduces the risk of impacts to federal funding
- Future considerations...
  - Alternative bike and pedestrian routes - Coordinate with surrounding communities to evaluate alternative bike and pedestrian routes/access to serve the area and look to develop joint grant applications
  - Bike lanes added to roadway in future - Options 3/4 do not move curbs and future restriping (microsurfacing in 2025) could add these facilities



# QUESTIONS?



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR SANGER; BOARD OF ALDERMEN  
**FROM:** CRAIG S. OWENS, CITY MANAGER  
JUNE FRAZIER, CITY CLERK  
**DATE:** APRIL 18, 2017  
**SUBJECT:** APPOINTMENT TO THE PUBLIC ART ADVISORY COMMITTEE (PAAC)

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Ward 1 has nominated Dwyer Brown as an alternate representative for the PAAC. Term ending June 30, 2020.

**Recommendation:** To consider the appointment.



**APPLICATION TO SERVE ON A BOARD, COMMISSION OR COMMITTEE**

NAME: Dr. ☒ Mr. ☐ Mrs. ☐ Ms. Dwyer Brown

ADDRESS: 6345 Ellenwood Ave.

St Louis MO 63105

SPOUSE (if applicable): Nancy Reynolds

TELEPHONE NUMBERS:

Home: 314 726 0394 Fax: 314 726 0307

Business: 314 809 9182 Fax: \_\_\_\_\_

E-mail: dwyerpbrown@gmail.com

BUSINESS NAME AND ADDRESS: \_\_\_\_\_

Dynamic Arts, LLC

(same as above)

POST HIGH SCHOOL EDUCATION: BA Boston University, English + Art History  
MA, JFK University, Museum Studies

HOW LONG HAVE YOU BEEN A CLAYTON RESIDENT? 12 years

Do you own your home: Yes Do you rent your home: \_\_\_\_\_  
Condo? \_\_\_\_\_ Apartment? \_\_\_\_\_

NAME THE BOARD, COMMISSION, OR COMMITTEE FOR WHICH YOU WOULD LIKE TO BE CONSIDERED: (roles and duties of the boards and commissions can be found at [http://www.claytonmo.gov/Government/Committees\\_and\\_Commissions.htm](http://www.claytonmo.gov/Government/Committees_and_Commissions.htm)?)

Public Art Advisory Committee

WHY DO YOU FEEL YOU WOULD BE AN ASSET AS A MEMBER OF THIS BOARD, COMMISSION, OR COMMITTEE?

My entire professional career has been devoted to the arts through museum work, art handling & storage, and now through my public art consulting work. I feel strongly that Clayton should continue to engage in installing artwork throughout the community.

DESCRIBE ANY PROFESSIONAL ORGANIZATION(S) IN WHICH YOU ARE ACTIVE:

I occasionally consult professionally on Clayton projects

ARE THERE ANY CIRCUMSTANCES THAT COULD POSE A CONFLICT OF INTEREST IF YOU ARE APPOINTED?

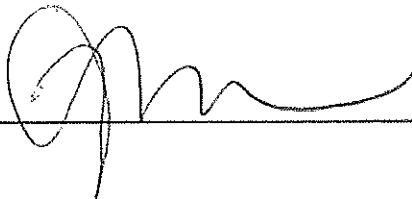
American Alliance of Museums

IDENTIFY ANY BOARD, COMMISSION, OR COMMITTEE ON WHICH YOU HAVE SERVED EITHER IN CLAYTON OR ANOTHER MUNICIPALITY:

NONE

PLEASE FEEL FREE TO ATTACH A RESUME TO THIS APPLICATION AND/OR PROVIDE ANY OTHER INFORMATION WHICH MAY ASSIST THE BOARD OF ALDERMEN WHEN MAKING APPOINTMENTS.

Signature:



Date:

4/5/17

WHEN COMPLETE, MAIL TO:

JUNE FRAZIER, CITY CLERK  
THE CITY OF CLAYTON  
10 N. BEMISTON AVENUE  
CLAYTON, MO 63105  
or Email to : [jfrazier@claytonmo.gov](mailto:jfrazier@claytonmo.gov)